



ELECTION/#15
J 10.10.02

PATENT
ATTORNEY DOCKET NO. 046124-5042-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE **RECEIVED**

In re Application of: Kishimoto *et al.*

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OCT 08 2002

Application No.: 09/646,785

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Group Art Unit: 1642

TECH CENTER 1600/2900

Filed: February 16, 2001

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Examiner: Nickol, G.

For: *Vascularization Inhibitors*

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Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

In response to the restriction requirement set forth in the Office Action dated September 4, 2002 (PTO Paper No. 14), Applicants respectfully elect, without traverse, to prosecute Group VIII, claim 24, drawn to a method for suppressing vascularization comprising using a substance that inhibits the action due to CXCR4. The due date for reply, without extension of time, is October 4, 2002.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of times fees, or credit any overpayment to Deposit Account 50-0310.

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This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

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Date: October 4, 2002
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